

REMARKS

In the outstanding Office Action, Claim 22 was indicated as allowable if rewritten in independent form. Applicant has rewritten this claim as suggested and it is accordingly believed in condition for allowance.

Claims 1-21 were rejected as obvious over United States Patent No. 4,271,500 to *Van Handel et al.*, in view of *Gospe et al.*, United States Patent No. 6,029,730. United States Patent No. 6,180,926 to *Duddy et al.* was also noted, though not relied upon.

As amended, Claims 1-21 are also believed in condition for allowance. The claims have been amended to recite that the dies define recesses with surfaces opposing the curved forming surfaces of the dies and that the cast-in heaters are in surface-to-surface contact with the recess surfaces opposing the forming surfaces. Claim 1 is representative:

1. A pressing apparatus for producing from a paperboard blank a food service paperboard container having an overturned rim provided with folds, comprising:

a first die that includes a first base and a first platform movable with respect to the first base, said first base having a first curved forming surface for engaging an outer periphery of a paperboard blank as well as a first recess with a first recessed heater mounting surface in proximity with and opposing the first curved forming surface of the first base;

a second die positioned in opposing relation to the first die and including a second base and a second platform movable with respect to the second base, said second die being movable with respect to the first die, said second base having a second curved forming surface for mating with the curved surface on the first die and engaging the outer periphery of the paperboard blank so that the outer periphery of the paperboard blank is pressed between the curved surface of the first base and the curved surface of the second base, the second die further defining a second recess with a second recessed mounting surface

in proximity with and opposing the second curved forming surface of the second base;

a first cast-in heater mounted within the first recess in the first die, the first cast-in heater including a heating element embedded within a thermally conductive cast-in material; and

a second cast-in heater mounted within the second recess in the second die, the second cast-in heater including a heating element embedded within a thermally conductive cast-in material;

wherein at least one of the cast-in heaters has a surface configured for and in surface-to-surface contact with the recessed heater mounting surface in proximity with and opposing the curved forming surface of the first or second die.

Also, new claims have been added which recite an annular shape for the cast-in heaters.


Support for the new language is found especially in Figures 6, 7, 9-11 and 14, as well as the discussion relating thereto. Figure 9, for example, shows an annular shape for the heater with central hole 208. See also, page 23, line 9 of the specification. None of the references disclose or suggest the newly-recited features and accordingly, this application should issue as amended.

For example, while *Gospe et al.* '730 teaches the use of cast-in heaters, Col. 4, line 51, neither this reference nor any of the other references suggests the advantages of a cast-in heater recessed into a movable die set as claimed. The unexpected advantages are set forth in the *Dana Markwell Declaration* filed May, 2002 in this case wherein it is seen that a dramatic reduction in failure rate is achieved. Seven (7) failures for the invention operating 100 heaters for a year versus three hundred and forty-five (345) failures in a year for operating only 60 conventional heaters. See *Markwell Declaration*, p. 4.

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In view of the above amendments and the dramatic improvements made of record, all claims are believed allowable. Undersigned Counsel will call to arrange a personal interview in order to expedite this application.

Respectfully submitted,



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